

## Danner, Ward

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**From:** Jennifer DENICOLA <jd18@me.com>  
**Sent:** Wednesday, September 24, 2014 10:16 AM  
**To:** Scott, Jeff; Blumenfeld, Jared  
**Cc:** Laura\_Schiller@boxer.senate.gov; James Peterson; invite@gillibrand.senate.gov; Bettina Poirier; Grant\_cope@epw.senate.gov; Mccarthy, Gina; Stanislaus, Mathy; Breen, Barry; Ted Lieu; Marianne Williamson; Bobby Shriver; j.lacey@da.lacounty.gov; Dan Wright; Yael Massry; CA Dept Of Education Superintendent Torlakson  
**Subject:** SMMUSD says Malibu is safe and doesn't need to remove caulk?? What about TSCA?  
**Attachments:** image1.JPG; ATT00001.txt; image1.JPG; ATT00002.txt; image2.JPG; ATT00003.txt; image3.JPG; ATT00004.txt; 14-8-29 MHS Update.pdf; ATT00005.txt; PastedGraphic-1.png

Dear Jeff Scott and Jared Blumenfeld:

EPA Region 9 received in July 2014, independent testing that found PCBs at 370,000ppm at Malibu High School and 340,000ppm at Juan Cabrillo Elementary School. Why hasn't the EPA addressed these independent test results that were sent to the EPA almost two months ago? Those results are as valid as the ones sent to you from the district in November of 2013. PCBs are present at levels above 50ppm in 5 of 10 buildings on campus but the EPA has chosen to ignore valid PCB test results from an EPA certified lab. This amount of PCBs found in the caulking should be alarming to you as the EPA toxicologists are well aware that this high level will have high amounts of dioxin-like PCBs (congener 126) that will be significantly above the EPA's Regional Screening Levels (RSL), making these buildings a health hazard. Why haven't you gone in and tested the caulking yourself as the EPA has the authority to do?

New independent test results have been released to the Los Angeles District Attorney's office as they have the jurisdiction to take action where the EPA is absconding the law instead of enforcing the toxic substance control act and protecting children and teachers from banned and illegal cancer causing toxicants. The EPA has undoubtably failed our children and our teachers and interpreted their role to be the manager of a potential national crisis rather than the protector of citizens immediately exposed to deadly toxicants.

Based on the air and dust test done by the district this summer, there are several rooms on each campus that have tested for PCBs higher than the stated threshold allowed by the EPA. Even more dust samples revealed higher than allowable PCBs in the rooms. But even with this limited testing that reveals PCB exposure only at the moment the test is taken, that had exceeded the screening levels set by the EPA, the EPA has still chosen to take no action to find the sources of PCBs to resolve the problem. Instead they have allowed the district to re-clean the rooms up to three times to get test results to be below the EPA threshold. At that point the district and EPA claim the rooms are safe as if no other PCBs will off-gas ever again and get into the air or duct, which we all know is wishful thinking and against the nature of PCBs.

There is over 200 linear feet of fencing surrounding toxic soil that contains PCBs over the level allowable by the EPA and DTSC. Confirming PCBs in the soil in the air in the dust and in the caulking at our schools. Yet no cumulative risk assessment was performed before the district has made a blanket statement of safety for the entire campus. And even with all of these exposure pathways informed to contain Pcb's and the confirmation of extremely high levels of PCBs in the caulking, the district is still claiming that there is no risk and it is acceptable for children and teachers to roam freely around the campus being undoubtably expose to high levels of cancerous PCBs.

Attached below you will see photos of the campus, caulking falling off windows, areas that are fenced off because PCBs were found in the soil at unacceptable levels.

Please see the link below and how the district is using the EPA letter dated Aug 14th letter to disarm parents into thinking PCBs are not dangerous and TSCA does not need to be enforced? Children's bodies and brains are developing and are most affected by PCB exposure, are wandering freely through a campus that has PCBs levels at 7000 times the legal limit. PCBs have been found in many of the pre-1979 building on campus both inside and outside the windows and door frames and these areas are within reach of all children. We all know, best management practices cannot ensure the school is clean enough both inside and outside so there will not be exposure putting children and teachers in harms way.

Has the EPA or the district done an exposure assessment analysis at Malibu High to determine any and all possible exposure risks to the children and teachers present on campus? If not, how can the EPA state that only cleaning with wet rags the inside

of the classrooms is enough to protect them from PCB exposure when you have never identified where the PCBs are coming from? What about cumulative and synergistic exposure of PCBs and other toxins, has the EPA done this analysis prior to sending the letter to the district claiming that the school is safe?

Isn't the existence of PCBs that are not used in an enclosed manner banned for use under TSCA? Doesn't TSCA specifically state that PCBs cause harm to human health and the environment? Why would the EPA leave them in a school where children roam freely and can touch them or accidentally ingest them? Where does Federal law stipulate that air and wipe testing are sufficient under PCB regulation and therefore doesn't require source testing and removal of PCBs known to be over 50ppm?

What is the safe exposure limit for PCBs for pregnant women? For inhalation, dust, and ingestion?

Please address these questions and explain why you are assisting SMMUSD to disarm parents to the dangers of PCBs and the serious health effects they have on kids and teachers. You are aware of the high levels found at MHS and JC, you are aware that PCBs have been identified in most of the pre-1979 buildings, you are aware that children and pregnant women are the most sensitive to PCBs and yet you are allowing them to occupy rooms and a campus that is full of PCBs with no plans to remove, isolate or encapsulate them. The EPA nor the district can guarantee that there is no exposure or risk of harm to human health or the environment until the PCBs are removed and that is precisely why Congress banned them.

All of those attached to this letter, please take an active stand on protecting the children and teachers at Malibu High as well as all children and teachers across the state and nation from unnecessary PCB exposure in our schools. Children's brains and bodies are developing and should not be exposed to a toxic chemical that will alter their health forever.

Jared and Jeff, we anxiously await your reply.

Respectfully,  
Jennifer deNicola